

Attorney's Docket No. 035718/260673

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Herrmann *et al.*  
 Appl. No.: 10/617,978  
 Filed: July 11, 2003  
 For: ORALLY ACTIVE PESTICIDAL BIOPEPTIDES

Confirmation No.: 4095  
 Art Unit: 1638  
 Examiner: Anne R. Kubelik

July 20, 2005

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
 CITATION UNDER 37 C.F.R. § 1.97**

Sir:

Attached is a list of documents on form PTO-1449 along with a copy of any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

Respectfully submitted,

Leslie T. Henry  
 Registration No. 45,714

<p><b>CUSTOMER NO. 29122</b>  <b>ALSTON &amp; BIRD LLP</b>    Bank of America Plaza    101 South Tryon Street, Suite 4000    Charlotte, NC 28280-4000    Tel Raleigh Office (919) 862-2200    Fax Raleigh Office (919) 862-2260</p>	<p><b>CERTIFICATION OF FACSIMILE TRANSMISSION</b>    I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.</p> <p><i>Lynda-Jo Pixley</i> <i>July 20, 2005</i>    Lynda-Jo Pixley</p>
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Substitute for Form 1449/PTO (Revised 04/2003)		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/617,978
		Filing Date	July 11, 2003
		First Named Inventor	Herrmann
		Group Art Unit	1638
		Examiner Name	Anne R. Kubelik
		Attorney Docket Number	035718/260673
Sheet	1	of	1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached
		Country Code - Number (Kind Code (if known)				

#### **OTHER DOCUMENTS**

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Language Translation Attached
	19	INCIOGLU, B., et al., "Isolation and Characterization of a Novel Type of Neurotoxic Peptide from the Venom of the South African Scorpion <i>Parmbutus transvaalicus</i> (Buthidae)," <i>Eur. J. Biochem.</i> , 2001, pp. 5407-5413, vol. 268.	
Examiner			Date

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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